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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,697	04/07/2001	Jahanshah Moreh	60468.300301	5064

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INTELLECTUAL PROPERTY LAW OFFICE
1901 S. BASCOM AVENUE, SUITE 660
CAMPBELL, CA 95008

EXAMINER

TRAN, PHILIP B

ART UNIT	PAPER NUMBER
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2155

13

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,697

Applicant(s)

MOREH ET AL.

Examiner

Philip B Tran

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Response to Amendments

1. This office action is in response to the amendments filed on 12/01/2003. Claims 16-41 have been amended. Therefore, claims 1-42 are pending and presented for further examination.

Claim Objections

2. Claims 18-19 are objected to because of the following informalities: New amended claims 18-19 should be dependent on new amended claim 17. Appropriate correction is required.

Claim Rejections - 35 U.S.C. § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-15 and 23-36 are rejected under 35 U.S.C. § 102(b) as being anticipated by Baru et al (Hereafter, Baru), "The SDSC Storage Resource Broker", ACM, 1998.

Regarding claim 1, Baru teaches a system for authenticating a subject residing in a subject domain on a network to a server application residing in a server domain on the network, wherein an authentication mechanism residing in an authentication domain on

the network affects the service provided by the server application, the system comprising:

a client for communicating with other components of the system and for authenticating the subject to other components of the system by providing client credentials on behalf of the subject, wherein said client also resides in the subject domain (i.e., client communicates with other components like SRB server for authentication) [see Fig. 2 and Sec. 3 on Page 5]; and

a protocol proxy for communicating between said client and the authentication mechanism and for authenticating said client based on said client credentials, for obtaining from the authentication mechanism temporary credentials for said client to access the server application, and for creating from said temporary credentials an authentication name assertion allowing said client to access the server application (i.e., proxy operations for communication between client and SRB agent as authentication mechanism) [see Secs. 2.8-2.10 on Page 4 and Sec. 3 on Page 5].

Regarding claim 2, Baru further teaches the system of claim 1, wherein the subject is non-human and said client is integrated into the subject, and said client gathers subject credentials for the subject and communicates said subject credentials to said protocol proxy [see Sec. 2.10 on Page 4 and Sec. 3 on Page 5]

Regarding claim 3, Baru further teaches the system of claim 1, wherein a plurality of the authentication mechanisms are present on the network, and the system further

comprising an agent for communicating with other components of the system and for interacting with said client to chose an appropriate authentication mechanism from among said plurality of the authentication mechanisms, wherein said agent resides in an agent domain on the network [see Fig. 2].

Regarding claims 4-7, Baru further teaches the system of claim 3, wherein said client interacts with said protocol proxy to determine a specification of the authentication mechanism and said client communicates said specification to said agent and wherein said client includes a callback mechanism for determining said appropriate authentication mechanism for the server application from among said plurality of the authentication mechanisms and wherein said callback mechanism interacts with the subject to determine said appropriate authentication mechanism and wherein said callback mechanism accesses a configuration repository to determine said appropriate authentication mechanism [see Sec. 3 on Page 5].

Regarding claim 8, Baru further teaches the system of claim 3, wherein said agent includes a mechanism resolver for determining from said plurality of the authentication mechanisms a subset of zero or more of the authentication mechanisms which affects the service provided by the server application [see Fig. 2 and Sec. 3 on Page 5].

Regarding claim 9, Baru further teaches the system of claim 8, wherein said agent further includes an authentication agent for brokering between said client and said mechanism resolver [see Fig. 2].

Regarding claim 10, Baru further teaches the system of claim 8, wherein said agent further includes a mechanism repository for storing information about said plurality of the authentication mechanisms and said mechanism resolver queries said mechanism repository when determining said subset of zero or more of the authentication mechanisms which affects the service provided by the server application [see Sec. 3.1 on Page 5 and Page 6].

Regarding claims 11-12, Baru further teaches the system of claim 10, wherein said agent further includes a mechanism registrator for the authentication mechanism to register in said mechanism repository by adding information about itself and wherein said mechanism registrator is further for the authentication mechanism to update itself in said mechanism repository by changing information about itself [see Sec. 2.5 on Page 3]

Regarding claims 13-14, Baru further teaches said protocol proxy resides in said agent domain on the network or in the authentication domain on the network [see Fig. 2 and Sec. 2.8 on Page 4].

Regarding claim 15, Baru further teaches the system of claim 1, wherein said protocol proxy uses a standard security protocol to communicate with said client and a mechanism-specific protocol to communicate with the authentication mechanism [see Sec. 2.10 on Page 4 and Secs. 3-3.1 on pages 5 and 6]

Claim 23 is rejected under the same rationale set forth above to claim 1.

Claims 24-33 are rejected under the same rationale set forth above to claims 2-11, respectively.

Claims 34-36 are rejected under the same rationale set forth above to claims 13-15, respectively.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 17 and 37 are rejected under 35 U.S.C 103(a) as being unpatentable over Baru et al (Hereafter, Baru), "The SDSC Storage Resource Broker", ACM, 1998 in view of admitted prior art (APA).

Regarding claim 17, Baru does not explicitly teach the system of claim 1, wherein at least one of said client and said protocol proxy authenticates using SRP protocol. However, the use of SRP protocol is well-known in the art as disclosed by APA [see the Instant Application on Pages 1 and 2]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement SRP protocol because it would have provided a process for authenticating clients to the remote servers in a secure fashion.

Claim 37 is rejected under the same rationale set forth above to claim 17.

7. Claims 18-22 and 38-42 are rejected under 35 U.S.C 103(a) as being unpatentable over Baru et al (Hereafter, Baru), "The SDSC Storage Resource Broker", ACM, 1998 in view of Hele et al (Hereafter, Hele), U.S. Pat. Application Pub. No. US 2002/0120474.

Regarding claim 18-22, Baru does not explicitly teach protocol proxy produces a signed name assertion wherein said signed name assertion is contained in a S2ML document and wherein said protocol proxy further produces a signed name entitlement and wherein said protocol proxy uses a proxy name assertion to authenticate itself to

the client and there is an adapter for receiving said authentication name assertion, recreating said credentials, and permitting said client to access the server application based on said credentials. However, the use of XML adapter for authentication purpose is well-known in the art as disclosed by Hele [see Paragraph 0054]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement XML adapter because it would have provided a more secure way for the client to access the server application.

Claims 38-42 are rejected under the same rationale set forth above to claims 18-22.

Response to Arguments

8. Applicant's arguments have been fully considered but they are not persuasive because of the following reasons :

In response to applicant's arguments, the law of anticipation requires that a distinction be made between the invention described or taught and the invention claimed. It does not require that the reference "teach" what the subject patent teaches. Assuming that a reference is properly "prior art," it is only necessary that the claims under consideration "read on" something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or "fully met" by it. See ***Colman v. Kimberly-Clark Corp.***, 218 USPO 789.

Baru teaches a method and system for authenticating a subject residing in a subject domain on a network to a server application residing in a server domain on the network, wherein an authentication mechanism residing in an authentication domain on

the network affects the service provided by the server application comprising a client for communicating with other components of the system and for authenticating the subject to other components of the system by providing client credentials on behalf of the subject, wherein said client also resides in the subject domain. For example, client communicates with other components like SRB server for authentication [see Fig. 2 and Sec. 3 on Page 5]. In addition, Baru further teaches a protocol proxy for communicating between said client and the authentication mechanism and for authenticating said client based on said client credentials, for obtaining from the authentication mechanism temporary credentials for said client to access the server application, and for creating from said temporary credentials an authentication name assertion allowing said client to access the server application. For example, proxy operations for communication between client and SRB agent as authentication mechanism [see Secs. 2.8-2.10 on Page 4 and Sec. 3 on Page 5].

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a communication path shaped like the letter 'T' rotated 90 degrees counter-clockwise as shown in Fig. 1 of the instant application) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

From the claim language point of view, there is no way triangle or "T" shaped rotated 90 degrees counter clockwise can be drawn to illustrate chronological step-by-

step carried out for communication among components of client-server network as argued by applicants.

Therefore, the examiner asserts that the cited prior arts teach or suggest the subject matter broadly recited in independent claims. Claims 2-22 and 24-42 are rejected at least by virtue of their dependency on independent claims and by other reasons set forth above. Accordingly, rejections to claims 1-42 are respectfully maintained as shown above.

Other References Cited

9. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

- A) Huang et al, U.S. Pat. No. 6,466,933.
- B) Carino, Jr. et al, U.S. Pat. No. 6,085,223.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION. IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE STATUTORY PERIOD FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE MAILING DATE OF THIS FINAL ACTION.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached on (703) 308-6662.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PST

Philip Tran
Art Unit 2155
January 28, 2004

Hosain Alam
HOSAIN ALAM
SUPERVISORY PATENT EXAMINER